

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Jeffrey A. Von Arx et al.	Examiner:	George C. Manuel
Serial No.:	10/025,183	Group Art Unit:	3762
Filed:	December 19, 2001	Docket:	279.391US1
Title:	AN IMPLANTABLE MEDICAL DEVICE WITH TWO OR MORE TELEMETRY SYSTEMS		

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**INFORMATION DISCLOSURE STATEMENT**

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Information Disclosure Statement considered.

The cited references include a portion of the file history of application serial no. 10/025,223 (the '223 application). The '223 application was previously identified to the Examiner as a related application in Applicant's "Communication Regarding Related Applications," submitted February 24, 2007.

The documents in this file history are cited to assure that the Examiner is fully aware of the positions taken by another examiner in the '223 application, and particularly in regard to: (1) the identification and characterization of the Barreras '397 patent (already of record in the present application); and (2) the entry of a provisional double patenting rejection over the present application (which provisional rejection was ultimately withdrawn, and the '223 application issued as U.S. Patent 6,996,393 on Jan. 31, 2006).

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Applicants do not believe that the information identified above substantively impacts the claims of the present application. However, this portion of the '223 application file history is cited out of an abundance of caution, to assure that the Examiner is fully aware of such information, and of the context in which such information was addressed by the other Examiner in that application.

Pursuant to 37 C.F.R. 1.98(a)(2), Applicant believes that copies of cited U.S. Patents and Published Applications, and Non-Published Applications identifiable by USPTO Serial Number, are no longer required to be provided to the Office. Notification of this change to this effect was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004 and October 19, 2004. Thus, Applicant has not included copies of any US Patents or US Patent Applications identifiable by serial number that may be cited with this submission. Should the Office require copies to be provided, Applicant respectfully requests that notice of such requirement be directed to Applicant's below-signed representative. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

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Date Oct 30, 2007

By

  
Michael L. Lynch

Reg. No. 30,871

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 30 day of October 2007.

KATE GANNON  
Name

  
Signature